

Remarks

A. Background

Claims 18-33 remain pending. New claims 34 and 35 have been added. In regards to claims 18-20 and 25, the Office Action asserts an obviousness rejection against them as being unpatentable over Andrews et al. (*Andrews*) U.S. Patent No. 5,835,723 in view of Shaio (*Shaio*) U.S. Patent No. 6,487,167 in view of Hamner et al. (*Hamner*) U.S. Patent No. 5,960,439 in further view of Wanderer et al. (*Wanderer*) U.S. Patent No. 5,491,796. With respect to claims 21-24 and 26-33, the Office Action asserts an obviousness rejection against them based on the same four prior art references (*Andrews*, *Shaio*, *Hamner*, and *Wanderer*) in further view of Hemphill et al. (*Hemphill*) U.S. Patent No. 6,167,448.

In light of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration of claims 18-35 of the pending U.S. Patent application.

B. Patentability of the Claims

Paragraph 3 of the Office Action asserts a 35 U.S.C. § 103(a) rejection against claims 18-20, and 25 as being unpatentable over *Andrews* in view of *Shaio* in view of *Hamner* and in further view of *Wanderer*. The Applicants respectfully note that independent claims 18 and 25 have been amended and for at least that reason request reconsideration of the claims.

Moreover, the Applicants submit that as amended claims 18-20, and 25 are patentably distinguishable from the alleged *Andrews-Shaio-Hamner-Wanderer* combination because the prior art references, singularly and as a combination, do not teach or suggest a “description means at the computing device responsive to a description request received by the computing device on the ad hoc network for sending a peer-accessible description message dynamically defining interaction via data messaging with the computing device to remotely operate the computing device over the ad hoc network” as recited in claim 18. Therefore, claim 18 is not rendered obvious.

In order to establish a *prima facie* case of obviousness, the basic criteria is that the cited prior art references must expressly or impliedly suggest all elements of the claimed invention, or, alternatively, the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references. (MPEP § 2144). The initial burden of proof is on the Office to support a conclusion that the claimed invention is directed to obvious subject matter. (MPEP § 2144.09).

Prior Art Does Not Teach the Claimed Invention

Applicants respectfully submit that not every element of the claimed invention is taught in the prior art. By way of example, Applicants note that paragraph 2 of the Office Action alleges that *Wanderer* teaches the “description means” of claim 18. More specifically, the Office Action states that *Wanderer* describes a response “to [a] poll request . . . for attributes which may be viewed and are defined by a file defining user-selectable interactions options associated with available functions for remotely configuring (operating) the computing device over the network, the message defines interactions component for communicating with the computing device.” However, Applicants respectfully submit that the Office Action fails to appreciate key differences between the cited reference and the pending claims.

First, *Wanderer* does not teach or suggest a “description means at the computer device responsive to a description request . . . for sending a . . . description message dynamically defining interaction . . .” as recited in claim 18. Instead, *Wanderer* describes device specification files (DSFs) located, installed, and setup at a central network management site.

Wanderer describes “a network management system in which various elements, such as hubs, routers, workstations, etc., distributed across a data exchange network are remotely controlled from a single point of maintenance.” (*Wanderer*, col. 2, lines 32-36). A *Wanderer* network management site installs device specification files (“DSFs”) “located in one or more directories” that define the format of a user interface picture (e.g., to view management or configuration data). (*Wanderer*, col. 7, lines 10-12, and line 52). Importantly, those DSFs are all centrally located. For example, claim 1 of *Wanderer*

describes an apparatus that loads all of its program modules “at the network management site,” including a “data specification module located at said network management site and operable to store information that specifies device content and behavior.” (See *Wanderer*, claim 1). The only setup interaction the *Wanderer* network management site has with remote devices is when “[an] SNMP request is sent . . . to identify a type of device. [Then a] unique piece of information (an “identifier”) is retrieved that allows the selection of the appropriate DSF” from the network management site’s local repository (*Wanderer*, col. 7, lines 48-50). In other words, the *Wanderer* device description is at the network management site and is not provided by a remote computing device in response to a request. Such a configuration requires hardware resources and involves setup requirements that implementations of the claimed invention avoid. Thus, *Wanderer* does not teach or suggest a “description means at the computing device responsive to a description request” as recited in claim 18.

Furthermore, unlike implementations of the claimed invention, *Wanderer* requires a separate utility to setup managed devices. For example, *Wanderer* needs a “system configuration file, *created and/or updated upon installation by a separate utility*” (*Wanderer*, col. 7, lines 52-54) to properly access device types and DSFs. Applicants respectfully note that implementations of the claimed invention have no such requirement. As recited in claim 18, the claimed invention dynamically defines interaction between devices with no prior setup and with no separate configuration utilities.

For example, in the pending application, “a device connectivity and control model provides an integrated set of addressing, naming, discovery and description processes (herein also termed ‘self-bootstrapping’) that enables automatic, dynamic and ad-hoc self-setup by devices to interoperate with other devices on a network. This permits a computing device when introduced into a network to automatically configure so as to connect and interact with other computing devices available on the network, without a user installation experience and without downloading driver software.” (Specification page 4, lines 16-26 – page 5, lines 1-2). On the other hand, *Wanderer* requires user setup and installation of DSFs to a management computer before it can manage remote

computers. Therefore, *Wanderer* does not teach or suggest the “description message dynamically defining interaction” recited in claim 18.

Another difference between *Wanderer* and implementations of the claimed invention includes the “peer-accessible” description message recited in claim 18. Unlike implementations of the claimed invention, *Wanderer* installs the DSF files to a location accessible only to network managers (e.g., *Wanderer* provides a “single point of maintenance for network resources, much like a control tower at an airport is necessary to assure efficient and secure use of the network.” (*Wanderer*, col. 2, lines 22-25)). Purposefully, only those computers with installed DSFs can access remote network devices to provide secure use of the network. This clearly differs from implementations of the claimed invention, which uses the peer-accessible description message to “make it possible to initiate and control the transfer of . . . data . . . from any device on the network, to any device on the network, under the control of any device on the network.” (Specification, page 10, lines 23-27). Hence, *Wanderer* does not teach the “peer-accessible description message” recited in claim 18.

Finally, none of the other prior art reference teach or suggest the “description means” recited in amended claim 18. *Andrews* describes a technique for assigning a network address, *Shaio* describes a technique to exclude the routing of messages to certain IP addresses, and *Hamner* describes a network utility that gathers network information and stores that information in a central database. None of which resembles the description means recited in claim 18. For at least these reasons, Applicants respectfully submit that claim 18 is not obvious in view of the prior art and is in condition for allowance.

Claim 25 recites a similar limitation: “responding from the computing device to the description request message by sending a peer-accessible description message dynamically defining interaction with the computing device to control operational functions of the computing device over the ad hoc network.” For similar reasons, Applicants submit that claim 25 with its dependent claims is in condition for allowance.

Prior Art Teaches Away from the Claimed Invention

In addition to the above reasons, Applicants also respectfully note that *Wanderer* teaches away from the claimed invention. “A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention.” (MPEP § 2141.02).

Wanderer specifically teaches away from the claimed invention. *Wanderer* describes a “single point of maintenance for network resources, much like a control tower at an airport [that] is necessary to assure efficient and secure use of the network.” (*Wanderer*, col. 2, lines 22-25). The *Wanderer* teaches a centralized control tower system to maintain a secure management environment. One of skill in the art upon reading *Wanderer* would not be taught the dynamic, ad hoc network of the claimed invention, but would be taught something else. For this additional reason, the Applicants submit that the claims are in condition for allowance.

Applicants respectfully submit that the obviousness rejections have been overcome and submit that independent claims 18 and 25 are in condition for allowance. Such action is earnestly sought. Claims 19 and 20 depend from claim 18. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 18-20 are not obvious over *Andrews* in view of *Shaio* in view of *Hamner* in further view of *Wanderer* for at least the reasons set forth above.

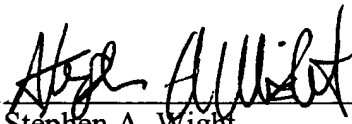
Claims 21-24 and 34 also depend from claim 18. Claims 26-33 and 35 depend from claim 25. They were all rejected under *Andrews*, *Shaio*, *Hamner*, and *Wanderer* in further view of *Hemphill*. For similar reasons to those stated above, Applicants submit that claims 21-24, 26-33 are not obvious over *Andrews* in view of *Shaio* in view of *Hamner* in view of *Wanderer* in further view of *Hemphill*.

C. Conclusion

For at least the foregoing reasons, Applicants submit that the rejection under 35 U.S.C. § 103(a) has been overcome. Therefore, claims 18-35 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
Stephen A. Wight
Registration No. 37,759

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391 / Facsimile: (503) 228-9446